

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHARLES V. FARNSWORTH,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS,

Defendant.

Case No. C07-5034FDB-KLS

ORDER DENYING
APPLICATION TO PROCEED *IN*
FORMA PAUPERIS

The Magistrate Judge recommends that because Plaintiff has had three prior civil actions dismissed as frivolous or for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2), Plaintiff is now prohibited by 28 U.S.C. § 1915(g) from proceeding *in forma pauperis* in this action. Plaintiff has filed nothing to contradict this recommendation.

The Court, having reviewed the report and recommendation, plaintiff's application to proceed *in forma pauperis* and the remaining record, hereby finds and ORDERS:

- (1) the Magistrate Judge's report and recommendation is approved and adopted;
- (2) plaintiff's application to proceed *in forma pauperis* is DENIED;
- (3) plaintiff shall pay the required filing fee (\$350.00) to the Clerk of the Court within thirty (30) days of the date of this Order, otherwise this action will be dismissed; and
- (4) the Clerk is directed to send copies of this Order to plaintiff and any other party that has appeared in this action.

DATED this 6th day of April 2007.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE